

MAR 12 2004

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To: Attn: Office of Petitions
Mail Stop Petition
U.S. Patent and Trademark Office

From: John C. Robbins, Reg. No. 34,706

Fax: 703-872-9306

Pages: 04 (including this sheet)

Phone:

Date: March 12, 2004

Re: U.S. Patent Application No. 09/864,637

Filed: May 23, 2001

Title: *Colony Array-Based cDNA Library Normalization by Hybridizations of
Complex RNA Probes and Gene Specific Probes*

Inventors: WEI, et al.

Attorney Docket No. 00801.0197.NPUS00

Attached please find the following documents for the above-identified patent application:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally under 37 CFR 1.137(b), and
2. Request for Continued Examination (RCE) Transmittal.

Should have any questions concerning the above, please contact me at (707) 469-2313.

Thank you.

PTO/SB/84 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
00801.0197.NPUS00

First named inventor: Wei, Chia-Lin (PhD)

Application No.: 09/864,637

Art Unit: 1637

Filed: 5/23/2001

Examiner: STRZELECKA, Teresa E.

Title: Colony Array-Based cDNA Library Normalization by Hybridizations of Complex RNA Probes and Gene Specific Probes

Attention: Office of Petitions

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time filed herewith.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee – required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee☒ Small entity-fee \$ 665.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.☐ Other than small entity - fee \$ _____ (37 CFR 1.17(m)).**2. Reply and/or fee****A. The reply and/or fee to the above-noted Office action in**the form of a Request For Continued Examination under 37 CFR 1.114 is enclosed herewith.☒ Amendment Under 37 CFR § 1.116 has been filed previously on January 26, 2004.☐ Petition for an additional Extension of Time is enclosed herewith.**B. The issue fee of \$ _____**☐ has been paid previously on _____☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (11-03)

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3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is due.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$___ for a small entity or \$___ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/CPM).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

March 12, 2004
Date

John C. Robbins
Signature

Telephone
Number: (707) 446-5501

John C. Robbins Reg. No: 34,706
Typed or printed name

3333 Vaca Valley Parkway, Suite 1000
Address

Vacaville, CA 95688
Address

Enclosures: ☒ Fee Payment☒ Reply [Request For Continued Prosecution & Extension Of Time]☐ Terminal Disclaimer Form☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450.

☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

March 12, 2004
Date

John C. Robbins
Signature

John C. Robbins Reg. No: 34,706
Typed or printed name of person signing certificate

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